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March 9, 2009

Victoria Tolbert, Interim Director
Alameda County Area Agency on Aging
Department of Adult and Aging Services
6955 Foothill Blvd., Suite 300
Oakland, California 94605-1907

Dear Ms. Tolbert:

Enclosed is a report issued by the California Department of Aging (CDA), which summarizes the monitoring visit of the Alameda County Area Agency on Aging, Department of Adult and Aging Services (DAAS) serving Planning and Service Area (PSA) 9. CDA staff conducted the visit on December 1-4, 2008. The purpose of the visit was to review the Administrative, Fiscal, and Program components of your direct and contracted Title III/VII, Title III E, Title V, and Community-Based Services Programs (CBSP).

The format of the report contains four specific sections: Recap/Overview of Monitoring Visit, Technical Assistance, Findings Requiring Corrective Action, and a Corrective Action Plan (CAP).

For your convenience, the required actions to be taken by the DAAS to correct specific findings associated with the monitoring visit are summarized into a CAP format. A copy of the CAP will be sent to you via email to allow you to complete the plan electronically. When completing the CAP, detail in Column F the action you will take to resolve the findings specified in Column C. Any documentation you submit to verify compliance with a required action should be detailed in Column E. Please provide a response to the findings within 30 days from the date of this letter using the CAP format provided. Submit the CAP electronically to Eura Trent at etrent@aging.ca.gov. If the DAAS needs to submit documents to verify compliance, please submit a hard copy of the CAP with the additional documentation.

We would like to thank you, your staff, the Governing Board Chair, and the Advisory Council Chair for all the assistance and hospitality during our visit. For your convenience we have enclosed two copies of this report. Please provide a copy to your Governing Board Chair and your Advisory Council Chair.

CDA will conduct a comprehensive assessment of your agency again in 2012. In the meantime, please do not hesitate to contact us should you or your staff have questions regarding the administration of programs funded through the Older Americans Act or Older Californians Act.

Sincerely,

Geri Baucom, Coach
Monitoring Protocol Team
Enclosures

cc: Scott Haggerty, Chair
Board of Supervisors

Dr. Quincy Campbell, Chair
Area Agency on Aging Advisory Council

Lynn Daucher, Director
California Department of Aging

Edmond P. Long, Deputy Director
Long-Term Care and Aging Services Division

**Alameda County Area Agency on Aging
Department of Adult and Aging Services
PSA 9**

REPORT OF MONITORING VISIT

**Conducted by the
California Department of Aging
December 1-4, 2008**

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The monitoring visit of the Alameda County Area Agency on Aging (AAA), Department of Adult and Aging Services (DAAS), was conducted by staff of the California Department of Aging (CDA) from December 1-4, 2008. Staff present were Geri Baucom, Coach, Monitoring Protocol Team; and Program Specialists, Eura Trent and Tasha Wilson (Administrative and Disaster Preparedness); Vern Foster (Fiscal); Barbara Estrada (Title III C Elderly Nutrition Program, Title III D Disease Prevention and Health Promotion, and Brown Bag); Joel Weeden (Title III E Family Caregiver Support Program); Kathleen Hendrickson (Alzheimer's Day Care Resource Center, Linkages, and Title III B Supportive Services, Information and Assistance, Case Management, and Adult Day Care), and Cecilia Perez Dunn (Title V Senior Community Service Employment Program).

CDA staff monitored administrative, fiscal, and specific program standards required by the Older Americans Act (OAA) and Older Californians Act (OCA).

This report includes:

- Recap of the standards monitored during the visit;
- Documentation of the technical assistance on specific program standards provided to the AAA during the monitoring visit;
- Findings and required actions to be taken by the AAA to correct specific findings associated with the monitoring visit; and
- Corrective Action Plan to be completed by AAA and submitted to CDA.

Throughout the report, we use either Area Agency on Aging (AAA) or Department of Adult and Aging Services (DAAS). In every instance, the two terms are synonymous.

RECAP/OVERVIEW OF MONITORING VISIT

This section provides a recap of the standards monitored during the visit and the recognition of the AAA staff that assisted CDA to accomplish its work.

AAA Administrative Review

Governing Board

Geri Baucom, Eura Trent, Tasha Wilson, Victoria Tolbert, Interim Director, and Tracy Murray, Assistant Director, conducted a conference call with Scott Haggerty, Governing Board Chair, and Gail Steele, County Supervisor, to determine if the Governing Board, as the policy-making body of the AAA, recognizes and fulfills its roles and responsibilities as required by all regulations, laws, and contracts. The Alameda County Board of Supervisors is the grantee for Planning and Service Area (PSA) 9. The Board is responsible for reviewing and approving the Standard Agreements with CDA, Service Provider contracts, the Area Plan and annual updates, and the Year-End reports. The Board of Supervisors and the Advisory Council are in constant contact on AAA issues.

Advisory Council

Geri Baucom, Eura Trent, and Tasha Wilson met with Dr. Quincy Campbell, Advisory Council Chair, and Tracy Murray, Assistant Director, to determine if the Advisory Council is provided the opportunity to (1) advise the AAA on all matters related to the development and administration of the Area Plan and all operations conducted under the plan, and (2) further the AAA's mission of developing a community-based system of care for older persons living within the PSA. The 21 member Advisory Council is involved in the Needs Assessment process, Area Plan Development, and Public Hearings. In addition, the Advisory Council includes Health and Safety, Publicity, and Legislative committees. The bylaws were last updated in 2006. The Advisory Council has a good working relationship with the AAA staff.

Staffing and Organization

Eura Trent and Tasha Wilson met with Tracy Murray, Assistant Director, to establish if the AAA has an adequate number of trained staff to administer programs to older individuals living within the PSA. Ms. Trent reviewed the most recent organizational chart to verify the positions identified on the budgets submitted to CDA matched the AAA's organizational structure. County mandated training and career development classes are offered through the County's Learning Center. Staff are encouraged to attend work related training and conferences such as California Association on Area Agencies on Aging (C4A). Duty Statements and the Personnel Procedures Manual were reviewed, and it was determined that personnel practices and procedures have been established and are well maintained.

Procurement/Contract Process

Eura Trent and Geri Baucom met with Delbert Walker, Program Financial Specialist, to determine if the AAA had established systematic procedures for the award and

administration of contracts contained in the Area Plan and to ensure the AAA awarded contracts through an open and competitive process. A review of the AAA's procurement process found the most recent Request for Proposal (RFP) for Title V was issued by the AAA in March 2007. There were no appeals or grievances as a result of the RFP process.

The AAA serves a large and ethnically enriched community which requires the AAA to award multiple contracts in all program areas. Contracts undergo a thorough review process by a separate division within the AAA allowing contracts to be executed in a timely manner. Completed contracts are retained in the AAA's files.

Area Plan Achievement

Eura Trent and Tasha Wilson met with Tracy Murray, Assistant Director, to determine if the AAA has a process for monitoring and tracking the progress of goals and objectives in the current approved Area Plan. Staff work closely together on a daily basis to ensure goals and objectives are met. The AAA and its service providers work together throughout the year to accomplish goals specific to the services provided. To assist the AAA in achieving its overall goals, service providers are also required to develop objectives. Regular meetings are held with all AAA staff to monitor goals and objectives. If a goal or objective is off target, mid-year adjustments are made by the AAA, with the service providers input, and reviewed by the Advisory Council.

Targeting/Needs Assessment

Eura Trent and Tasha Wilson met with Tracy Murray, Assistant Director, to determine if the AAA develops outreach methods that target older individuals with the greatest economic or social needs with particular attention to low-income, minority individuals who live within the PSA. A three phase needs assessment, consisting of a Senior Survey, Focus Groups, and a Key Informant Survey, was conducted in 2005 to evaluate the day-to-day needs of seniors in the community. Surveys were distributed in 8 different languages and identified three areas of unmet needs. The AAA utilizes the Info Van and hosts community health fairs, such as the Annual Healthy Aging Fair, held at senior organizations or senior congregate nutrition sites, as a way to promote awareness of services available to seniors within the PSA.

Community-Based Services

Eura Trent and Tasha Wilson met with Tracy Murray, Assistant Director, to ensure the AAA proactively provides leadership in the development of a comprehensive and coordinated community-based system of services within the PSA. Alameda County has integrated its Public Health, Mental Health, and Social Services Branches into the Department of Adult and Aging Services. This integration provides more opportunity for collaboration among the county's many programs and community service providers such as Meals on Wheels and One-Stop Centers. The AAA is co-located with county departments such as In-Home Supportive Services (IHSS), Adult Protective Services (APS), and Public Authority. The Director and Assistant Director meet regularly to ensure service coordination for seniors living within the PSA.

Management of Service Providers

Eura Trent and Tasha Wilson met with Tracy Murray, Assistant Director, to determine if the AAA effectively communicates with, disseminates policies to, and monitors its service providers. The AAA distributes information to a network of 40 non-profit service providers through regular email communication and standard service provider training. AAA staff will contact providers directly by telephone as needed.

Ms. Trent reviewed the monitoring schedule and service provider files and determined that AAA staff conducted annual monitoring. Monitoring reports included findings, recommendations, and timelines for corrective actions. The AAA also tracks the service provider's activity level. If service units fall below 5 percent of expectations, the AAA will offer training or recommend the service provider implement a plan to ensure the contracted service activity levels are met.

Data Reporting

Eura Trent and Tasha Wilson met with Tracy Murray, Assistant Director, to verify data collection and reporting processes are in place at all levels to ensure timely submission of complete, accurate, and verifiable data. The AAA uses web-based software, SAMS/Synergy for reporting, and submits reports to CDA on a regular basis.

Disaster Preparedness

Eura Trent and Tasha Wilson met with Delbert Walker, Program Financial Specialist, to discuss the AAA's disaster preparation activities within the PSA. The AAA requires its service providers to submit a disaster preparedness plan to the AAA within one year of executing a contract. The AAA designated staff to participate in Alameda County's 1st Responder Program in the community. This program consists of members from OES, Bay Area Sol Services Agency, Collaborating Agencies Responding to Disasters (CAR), and the local Red Cross. The designated AAA staff sends out emails regarding emergency notices and alerts through the I&A program, participates in disaster simulations like the Silver Sentinel, and is required to have Incident Command System (ICS) certification every two years.

AAA Fiscal Review

Vern Foster met with Maaza Michael, Financial Services Specialist, to review the fiscal systems of the AAA. Financial standards reviewed include Financial Reporting, Budget Control, Allowable Costs, Internal Control, Accounting Records, and Cash Management. Mr. Foster also reviewed service provider contract language for fiscal requirements. Ms. Michael and Terry Jaleco, Accounting Specialist, use Quatro Pro software for tracking salaries and wages, expenditures, and funding sources. The AAA uses Alameda County's "Alcolink" financial accounting system (a Peoplesoft product) to process payments to its providers. Ms. Michael uses Paradox software and Excel spreadsheets to submit the required fiscal reports to CDA. AAA staff maintains very organized contracts files and fiscal supporting documentation.

Specific Program Reports—Older Americans Act Programs

Title III B—Information and Assistance (I&A)

Kathleen Hendrickson met with Tracy Murray, Assistant Director, to discuss the I&A program. The AAA provides direct I&A services at its office in Oakland and contracts with local agencies for I&A services in PSA 9. Ms. Hendrickson reviewed the contracts for the following service providers: City of Berkeley, City of Oakland, Family Bridges, Inc. in Oakland, Japanese American Services of East Bay in Berkeley, Korean Community Center of the East Bay in Oakland, and the Vietnamese American Community Center in Oakland.

The direct I&A program consists of two staff members who conduct outreach, attend local area events, and maintain online Senior Directories by location. During the monitoring visit Ms. Hendrickson tested the (800) 510-2020 line after hours. The message indicated the caller could leave a message and the call would be returned. The Social Worker handles the calls to the 800 number. Ms. Hendrickson also reviewed the local telephone book for I&A entries and found there is a listing for the Senior I&A, Alameda County Area Agency on Aging.

Title III B— Adult Day Care (ADC)

Title III B Adult Day Care/Alzheimer's Day Care are contracted services provided by Alzheimer's Services of East Bay in Berkeley, St. Peter's Community Adult Day Care in San Leandro, and Bay Area Community Services, Inc. (BACS) in Oakland. Kathleen Hendrickson reviewed the contracts and monitoring for the Title III B Adult Day Care/Alzheimer's Day Care programs. The AAA monitors these programs using a very thorough tool that covers the requirements of the contract and RFP. The programs were last monitored in May 2008.

Ms. Hendrickson, accompanied by Delbert Walker, Program Financial Specialist, visited BACS and met with the director, Roberta Tracy. BACS Adult Day Care serves approximately 24 participants a day, provides multiple activities, including group exercises, and serves lunch. Ms. Hendrickson observed a lively game of sit-down volleyball during the visit.

Title III B—Case Management (CM)

Title III B Case Management are contracted services provided by BACS, City of Fremont, and Senior Support Program of the Tri-Valley (Tri-Valley) in Pleasanton. Kathleen Hendrickson reviewed the contract and monitoring for Tri-Valley. The contract included all requirement language. Tri-Valley serves approximately 30-50 clients per year and was last monitored on July 17, 2008. DAAS staff used the AAA Review Tool which covers the requirements for Case Management.

Title III B—Supportive Services (General)

The AAA funds the following additional supportive services in PSA 9: Outreach, Community Services, Homemaker, Visiting, Health Services, and Legal.

Kathleen Hendrickson reviewed the completed CDA Title III B Supportive Services Monitoring Tool. The AAA contracts with Lavender Seniors Services for Homemaker and Visiting services. Ms. Hendrickson reviewed the contract and monitoring for Lavender Seniors Services. Lavender Seniors Services was last monitored on May 15, 2008.

Title III C—Elderly Nutrition Program (ENP)

Barbara Estrada, R.D. met with Sau Fong Lee, AAA R.D to conduct an assessment of contracted ENP services. Ms. Estrada reviewed the donation request signs and donation procedures, current ENP menu compliance with Dietary Reference Intakes (DRI) and the Dietary Guidelines for Americans, Home-Delivered Meals (HDM) policies and procedures, annual monitoring reports, corrective action plans, eligibility assessments, contracts, quarterly staff training, training evaluations, nutrition education topics, and the CDA ENP monitoring tool.

Ms. Estrada conducted site monitoring of four ENP service providers. The meal programs monitored provided a sample of different types of contracted services in Alameda County. Ms. Estrada and Ms. Lee conducted a site visit at the BACS program with the assistance of Eric Gremillion, Director of Senior Nutrition. The visit included a review of the central kitchen, eligibility assessments, HDM pack out, and the donation letter used by this provider. Congregate meal service was observed at the East Bay Korean American Senior Service Center. A site visit was conducted with Connie McCabe, Executive Director of SOS Meals on Wheels. At the SOS Meals on Wheels, Ms. Estrada observed the central kitchen and HDM pack out and reviewed the eligibility assessments, donation letters, and menu compliance. Congregate meal service was observed at the Spectrum meal site in the Bancroft Senior Center with the assistance of Site Coordinator, JoAnn Silver.

Title III D—Disease Prevention and Health Promotion

Barbara Estrada, R.D. met with Delbert Walker, Program Financial Specialist, to discuss the Title III D Disease Prevention and Health Promotion program. Three contracted service providers offer outreach, physical fitness, nutrition education, nutrition counseling, and medication management services within the PSA.

Brown Bag

Barbara Estrada, R.D. reviewed the CDA Brown Bag monitoring tool with Delbert Walker, Program Financial Specialist. The AAA contracts with Mercy Retirement and Care Center for the Brown Bag program.

Title III E—Family Caregiver Support Program (FCSP)

Joel Weeden met with Karen Bridges, Herlander Nobrega, Delbert Walker, and Lisa Ho, Program Financial Specialists, to conduct the monitoring of the DAAS FCSP. Assistant Director, Tracey Murray also participated in several staff discussions. Mr. Weeden was appreciative of the effective FCSP stewardship provided by Ms. Murray and her staff, and their willingness to consider options that could enhance the DAAS caregiver support systems in order to meet OAA expectations.

Mr. Weeden prepared an analysis that looked at how FCSP budget expectations correlated with actual expenditures. Ms. Bridges helped facilitate the comparison of DAAS fiscal reports submitted to CDA with DAAS initial and amended contracts for FCSP services. Some actual service category expenditures reported in the Area Plan Closeout differed from the approved service categories in the Area Plan Budget. Ms. Murray assured this would be more closely monitored in the future.

DAAS maintains excellent service provider contract records. Contracted service provider outcomes were effectively tracked to ensure consistent performance. Mr. Weeden, accompanied by DAAS Program Financial Specialists, conducted site visits to the following programs:

- Spectrum Community Services — Michael Sweeney, Executive Director Frank Regalado, Hope FCSP Program Coordinator, and Leila Cimarra, Controller.
- Adult Day Services Network of Alameda County (ADSNAC) — Anne Warner-Reitz, Executive Director, and Maureen Dixon, Communications Director.
- Family Bridges, Inc., also known as Hong Fook Adult Day Health Care Centers — Jenny Sze-To, Program Administrator, Joyce Chan, Social Worker, and Thuy Nguyen, Vietnamese Outreach Coordinator.

Title V— Senior Community Service Employment Program (SCSEP)

Cecilia Perez Dunn met with Lisa Ho, Program Financial Specialist, to discuss the SCSEP. DAAS contracts with Self-Help for the Elderly (SHE) which administers 24 participant slots. The monitoring consisted of a review of the CDA SCSEP monitoring tool, request for proposals (RFP), provider contract, AAA SCSEP monitoring tool and report. Ms. Ho's SCSEP file includes quarterly reports addressing the status of enrollment, unsubsidized placement, and activities regarding the Workforce Investment Act. Ms. Ho also maintains ongoing communication and provides guidance to the SHE SCSEP. The AAA monitoring visit of SHE was last conducted in April 2008. The SHE SCSEP exceeded the combined performance goals in the fiscal year 2007.

Ms. Dunn met with Cindy Liang, SHE Assistant Director, at the Eden Area One Stop Career Center. Ms. Dunn and Ms. Ho toured the Eden Area One Stop Career Center and interviewed a host agency supervisor and SCSEP participant. The host agency supervisor and the participant were pleased with the services received.

Specific Program Reports—Older Californians Act Programs

Alzheimer's Day Care Resource Center (ADCRC)

The Alzheimer's Day Care Resource Center program is provided by Alzheimer's Services of the East Bay (ASEB) in Berkeley and Oakland. ASEB is licensed by the California Department of Public Health as an Adult Day Health Care. Kathleen Hendrickson reviewed the contract and monitoring for this program.

Ms. Hendrickson and Lisa Ho, Program Financial Specialist, visited the ASEB site in Berkeley. Ms. Hendrickson and Ms. Ho met with Michael Pope, Executive Director. The ADCRC is located on the first floor of a multistoried building. There is an outdoor space for participants with tall planting boxes and seating. Ms. Pope reported that ASEB has long range plans to add hospice and overnight respite services at the Berkeley site. Plans include adding an additional story to the building with individual sleeping quarters for hospice and respite participants.

Linkages

The AAA contracts with the City of Oakland to provide Linkages services. Kathleen Hendrickson reviewed the contract and the June 19, 2008 monitoring of this program. The contract requires the site to serve 186 clients per month and to add approximately 93 clients per year. The AAA used the Linkages Self-Assessment Tool and the Chart Review Tool to monitor the program.

TECHNICAL ASSISTANCE

One purpose of the CDA monitoring visit is to provide technical assistance to AAA staff on specific program standards that did not rise to the level of a finding that would require formal corrective action. Detailed below is specific technical assistance provided by the CDA monitoring team during the monitoring visit.

AAA Fiscal Review

While reviewing the AAA's service provider contracts, Mr. Foster found separate contracts for Title III C Nutrition funding and Nutrition Services Incentive Program funding. Both contracts cover the same program. It was suggested to the AAA Fiscal Officer that these two separate contracts be merged into a single contract, identifying each funding source separately in the contract and budget, thus allowing the AAA to better manage the service provider contract.

The Title III E contract, budget, invoices, and AAA fiscal reporting systems contain inconsistent titles for the III E service categories. These discrepancies were a result of recent III E service category changes implemented by CDA. Mr. Foster recommended the AAA revise the documents and reporting systems to be consistent, and in line with the new requirements. Ms. Michael immediately began making those changes, implementing the suggestion.

The HICAP budget attached to the service provider contract listed Title III as the funding source for HICAP funds. Mr. Foster recommended the AAA revise all budget forms to reflect the appropriate funding sources.

Title III C—Elderly Nutrition Program (ENP)

Donation Letter

The donation request letter developed by the Bay Area Community Services (BACS) has a tear off portion that states "Return this portion with your payment." This language should be changed to state "Return this portion with your donation."

Quarterly Assessments

One half of the BACS quarterly Home Delivered Meal (HDM) eligibility assessments are performed by the drivers. Of 20 driver assessments reviewed, five stated they had never seen the client. These clients' meals are delivered to a cooler because the client is not available at the time of delivery. Many HDM clients are ill, have frequent doctor appointments, or treatments, such as dialysis or chemotherapy, preventing them from being home to receive meals. However, this is a high percentage of clients who are not at home for meal delivery. The most important eligibility factor for receiving HDM service is that the senior is homebound. Ms. Estrada suggested that a thorough assessment be completed on any senior who is not home on a frequent basis to assure that the clients receiving the meals meet the prioritization standards set by the AAA.

Meal Tickets

Spectrum congregate nutrition sites use a meal ticket at the request of the senior meal participants. The site coordinator at the Bancroft site stated the seniors "pay"

thirty dollars for the meal tickets. A written policy and procedure should be in place to assure any amount can be “donated” for the meal ticket. Training should be provided for all site coordinators to ensure the correct language is used when discussing “donations.”

Title III E—Family Caregiver Support Program (FCSP)

Distinction Between “Caregiver” and “Grandparent” Support

In order to comply with OAA-related data reporting requirements, AAAs must now separate FCSP costs and performance data between caregivers caring for older frail elders (as well as care receivers of any age with Alzheimer’s disease or related condition) and grandparents or others caring for a child or a “child” of any age with a disability. FCSP contractors such as Spectrum Community Services should not consider “grandparents” as a FCSP-eligible client unless approved and funded by the AAA to serve this distinct population that may be served under FCSP.

Activities of Daily Living (ADLs) vs. Instrumental Activities of Daily Living (IADLs)

Additional FCSP eligibility criteria must be met for a family caregiver to receive FCSP-funded Respite Care or Supplemental Services. The Spectrum Community Services FCSP program coordinator was aware of the additional need to document care receiver frailty and that frailty means the older care receiver cannot perform at least two ADLs or, due to cognitive impairment, requires substantial supervision. However, there was confusion on whether “light housekeeping” and “meals preparation” were considered ADLs. The federal ADL categories are eating, dressing, bathing, toileting, transferring in and out of a bed/chair, and walking (e.g., across a residential room).

Network of Care Updating

The County of Alameda has an agreement with Trilogy Integrated Resources to maintain its Network of Care. This online enhanced resource directory started as a CDA innovation grant, but now extends into other service areas. The unpaid family caregiver support network is recognized as the website’s primary consumer for the “Elderly and People with Disabilities” service directory. However, the Alameda County Network of Care website did not include “Caregiving” as a primary category. In a services search via keywords, many FCSP-funded services were missing under sections for Caregiver Counseling, Caregiver Training, Caregiver Support Groups, and Kinship Caregivers. In addition, the AAA staff was reminded that their website did not identify FCSP as an AAA service.

Title V—Senior Community Service Employment Program (SCSEP)

Participant fringe benefits have changed since DAAS issued the RFP. When issuing future RFPs, update the templates to include the most current requirements.

Although Ms. Ho reviewed participants’ files during her monitoring visit, notation of the participant file review and host agency safety evaluations reviews were not included in the report. Document the review of participant files and host agency safety evaluations completed by the provider.

Alzheimer's Day Care Resource Center (ADCRC)

Ms. Hendrickson reviewed the contract for the ASEB ADCRC programs. In the section that included the requirements of the program, OAA requirements (to serve persons with the greatest economic need, low income minorities, etc.) were listed. These are not required for state funded Community-Based Services Programs such as ADCRC.

Linkages

While reviewing the contract for the Linkages and Respite Purchase of Services (RPOS) programs, Ms. Hendrickson found that the contract stated RPOS would be limited to \$450 per family per year. In the new RPOS manual (June 2008), this limitation has been removed.

FINDINGS REQUIRING CORRECTIVE ACTION

Included below is a formal description of findings that led to the corrective actions detailed in the Report of Required Corrective Actions (see attached) presented at the Exit Conference conducted by CDA on December 4, 2008. For your convenience, specific corrective actions to be taken by the AAA to address each finding are summarized in a Corrective Action Plan (CAP) format that is included as part of this report. The CAP will be transmitted electronically to the AAA for ease in completion and submission to CDA.

Administrative Review

Advisory Council

California Code of Regulations (CCR) Section 7302(a)(12)(D) states in part that the composition of the Advisory Council should represent the percentage of the Planning and Service Area's (PSA) older population and race and ethnicity for each of the following categories:

1. White
2. Hispanic
3. Black
4. Asian/Pacific Islander
5. Native American/Alaskan Native
6. Other

Corrective Action: Recruit Advisory Council members that represent the ethnic composition of the community with particular emphasis on recruiting Hispanic and Asian/Pacific Islander individuals.

Procurement/ RFP Process— Section I

DAAS current RFP does not contain all required language. CCR Section 7354(b)(13)(B), specifies the IFB/RFP shall include the following statement:

Corrective Action: Include the following statements in your IFB/RFP document:

“The selected bid/proposal shall be made part of the contract.”

“The AAA may negotiate modification after the bid/proposal has been selected to assure that all necessary program requirements are covered before the contract is signed.” (Repeat finding, November 2004)

Contract Process — Section II

CDA's Standard Agreement contains specific language that must be included in service provider contracts. CDA staff reviewed the AAA's contract language and determined it contained some, but not all required language. Contract language regarding voluntary contributions was not consistent throughout all service provider contracts.

Corrective Action: Ensure language regarding voluntary contributions is consistent throughout all service provider contracts.

The AAA service provider contracts did not include a transition plan for termination or transfer of services. DAAS can develop transition language or use language contained in CDA's Standard Agreement, Exhibit E, Additional Provisions, Article IV Transition Plans.

Corrective Action: Include a Transition Plan for termination or transfer of services in all service provider contracts.

CCR Section 7364(a)(5) requires the AAA to include in contracts the identity of each focal point and requirements with respect to the provision of services to low-income minorities.

Corrective Action: Ensure service provider contracts include the identity of each designated community focal point.

CCR Section 7400(a)(2) specifies that the AAA shall establish a requirement in contracts and subgrant agreements with service providers that all service providers must establish a written grievance process for reviewing and attempting to resolve complaints of older individuals. The AAA's current contract language does not contain language to meet this requirement.

Corrective Action: Include a requirement in all service provider contracts to establish a written grievance process for reviewing and attempting to resolve complaints of older individuals and residents of Long-Term Care facilities. (Repeat finding, November 2004)

CDA's Standard Agreement, Exhibit D, Article II, N. 3., Lobbying Certification, specifies that by signing this Agreement the contractor hereby certifies that the language of this certification is included in the award documents for all subcontracts at all tiers (including subgrants, and contracts under grants, loans, and cooperative agreements which exceed \$100,000) and that all subrecipients shall certify and disclose accordingly. This language was not included in the service provider contracts.

Corrective Action: Include language in service provider contracts which exceed \$100,000 that requires the completion and submission of Standard Form LLL, "Disclosure Form to Report Lobbying". (Repeat finding, November 2004)

Data Reporting

CDA's Standard Agreement, Exhibit E, Article II (C)(1-5), requires written, program specific reporting procedures. Although informal procedures are in place at the AAA, there is no desk manual that contains written data collection and reporting procedures.

Corrective Action: Develop and maintain a written data collection/ reporting procedures manual.

AAA Fiscal Review

Financial Reporting

AAAs must establish and maintain a financial reporting system that reflects accurate, current, and complete disclosure of the financial activities of the AAA and its service providers pursuant to 45 Code of Federal Regulations (CFR) Section 92.20(b)(1). AAA Administration costs reported to CDA did not agree with the AAA accounting records.

Corrective Action: Ensure the supporting documents for monthly expenditures reconcile with amounts reported to CDA on the approved CDA 151 Monthly Financial Status Report.

CDA was unable to verify the amounts the AAA reported as Non-Match Cash, State, or Federal Share on the May Area Plan expenditure report. The amounts did not agree with the AAA accounting records and supporting documents. According to the AAA, adjustments were made in the AAA accounting records to the funding source amounts reported by the service provider; however there were no supporting documents to verify the adjustments. According to 45 CFR Section 92.20(b)(2), the AAA must maintain records which adequately identify the source and application of funds provided for financially-assisted activities.

Corrective Action: Ensure adjustments to the service provider's Monthly Financial Report/Request for Funds are documented and kept on file.

AAAs must establish and maintain a financial reporting system that reflects accurate, current, and complete disclosure of the financial activities of the AAA and its service providers pursuant to 45 CFR Section 92.20(b)(1). While reviewing current year and prior year expenditure records, CDA found Nutrition Education expenditures were not reported until year-end. It was further determined that service providers are not reporting these costs in their monthly reports. The AAA reports Nutrition Education expenditures in the Financial Closeout Report (CDA 180) based on Closeout and Service Unit information.

Corrective Action: Ensure Nutrition Education expenditures are based on actual costs and reported as incurred.

While reviewing payroll records, CDA found that some AAA staff are not submitting current timesheets as required. Timesheets for multiple months were submitted on the same date. Office of Management and Budget (OMB) Circular A-87 Attachment B(11)(h)(5)(c) requires personnel activity documentation to be completed at least once a month and to coincide with one or more pay periods.

Corrective Action: Ensure staff timesheets are completed at least monthly and coincide with one or more pay periods.

CDA's Standard Agreement, Exhibit B, Article II, (H)(1) limits indirect costs to 8% of Contractor direct costs, excluding in-kind contributions and non expendable equipment. Service provider contracts lack the requirement limiting indirect costs to 8%. DAAS staff monitors service providers, and the AAA fiscal tool includes a review of indirect costs, but does not require verification that the 8% limit is complied with.

Corrective Action: Include language in service provider contracts limiting Indirect costs to no more than 8% of Direct costs.

Corrective Action: Ensure the fiscal monitoring tool addresses the 8% Indirect costs limitation.

Budget Control

Comparing the Area Plan Budget, Area Plan Closeout, and the Title III E service provider contracts, there was an \$85,000 discrepancy under Title III E Access. It appears there was a breakdown in the budget development and service provider contract review process. AAAs must establish and maintain a financial reporting system that reflects accurate, current, and complete disclosure of the financial activities of the AAA and its service providers pursuant to 45 CFR Section 92.20(b)(1).

Corrective Action: Ensure fiscal, program, and data staff collaborate in the development of the Area Plan Budget, HICAP Budget, and Title V Budget.

Corrective Action: Ensure that information submitted on service provider budgets is incorporated into the revised Area Plan Budget, HICAP Budget, and Title V Budget as appropriate.

Internal Control

In the fall of 2008, the AAA Fiscal Officer was unexpectedly out of the office for an extended period. The AAA fiscal processes were not documented in a detailed accounting procedures manual. As a result, the AAA was unable to submit numerous required fiscal reports. CCR Section 7250 (b)(4) states in part, each AAA shall maintain written procedures for carrying out all of the responsibilities and requirements under these regulations and federal law and regulations.

Corrective Action: Create written accounting procedures for AAA financial activities.

It was determined the AAA maintains inventory control for property with a value of \$5,000 or more. CDA Standard Agreement, Exhibit D, Article VII, (A)(1) requires AAA's to maintain property records for any item purchased with CDA funds that has a lifespan of 1 or more years, for both the AAA and it's service providers.

Corrective Action: Conduct and maintain an inventory of all property furnished/purchased with federal and/or State funds that has an expected lifespan of one or more years.

AAA staff are not currently reviewing service provider property records during monitoring. AAA Staff responsible for performing this review were unsure whether it was being performed, and it is not included in the monitoring tool as part of the review. In addition, service providers may be keeping records for only property valued at \$5,000 or more, as does the AAA. CDA Standard Agreement, Exhibit D, Article VII (A)(1) requires AAA's to maintain property records for any item purchased with CDA funds that has a lifespan of 1 or more years, for both the AAA and its service providers.

Corrective Action: Verify service providers conduct an annual physical inventory and update property records.

Cash Management

According to OMB Circular A-102 (2)(a), payment methods shall minimize the time elapsing between the transfer to recipients and the recipient's need for the funds. As allowed, the AAA requested an annual HICAP Advance intended to be given directly to the service provider to cover annual start up expenses. The AAA did not issue the advance dollars directly to the HICAP service provider as required.

Corrective Action: Ensure the HICAP advance is passed on to the HICAP service provider.

Specific Program Reports—Older Americans Act Programs

Title III B—Supportive Services (General)

CDA staff reviewed the contract for Lavender Seniors Services which indicated they were providing Homemaker (Friendly Visitor) services. The contract further indicated that the service units included: Telephoning, Visiting, and Shopping Assistance. Only Shopping Assistance falls under the category of Homemaker. To correctly identify the services Lavender Seniors Services provides, the contract must be corrected to list the services as Homemaker and Visiting (Telephoning is included in Visiting). The service units can remain the same. These definitions can be found in the National Aging Program Information System (NAPIS) and Division 4000 available on the CDA website (www.aging.ca.gov).

Corrective Action: Ensure Title IIIB Supportive Services are identified correctly in the service provider contract and the budget reflects the correct service categories.

Title III B—Information and Assistance (I&A)

The California Code of Regulations (CCR) Section 7357(a) requires the I&A service provider to follow-up on each referral to establish if the caller's needs were met. The AAA has been using the Alliance for Information and Referral Systems (AIRS) standards for follow-up with callers. AIRS standards state, "the policy shall mandate

follow-up with inquirers in endangerment situations and in situations where the specialist believes that inquirers do not have the necessary capacity to follow through and resolve their problems. The policy must also specify a percentage of other inquiries for which follow-up is required in order to assess overall service performance.” The I&A service provider contract requires a 25% follow-up. According to the assessment tool, I&A programs are achieving 44% follow-up. This does not meet the requirement to follow-up on each referral.

Corrective Action: Develop and implement a standardized follow-up procedure to ensure completion of the follow-ups and documentation for each client referred to a needed service.

Title III C—Elderly Nutrition Program (ENP)

According to California Retail Food Code Section 114049(g), food shall not be stored in any of the following ways: under leaking water lines, including leaking automatic fire sprinkler heads, or under lines on which water has condensed. Food must be stored in a manner that prevents contamination and maintains food safety. The food in the walk in refrigerator at BACS was exposed to a consistent leak from the ceiling of the unit. In discussion with the service provider, CDA found the leak has been ongoing since August, 2008.

Corrective Action: Ensure the walk-in refrigerator at the Bay Area Community Services’ kitchen is repaired.

CCR Section 7638.11 states printed material may be used as the sole nutrition education component for the home-delivered meal participants, as well as in conjunction with a congregate meal nutrition education presentation. A review of the contracts found that the HDM contracts include language specific to congregate nutrition education rather than the appropriate language for the provision of HDM nutrition education.

Corrective Action: Correct the language in the Home-Delivered Meal (HDM) service provider contracts to include an appropriate description for HDM nutrition education.

CCR Section 7638.3(a)(4) requires reassessment of need shall be determined quarterly. Such reassessment shall be done in the home of the participant at least every other quarter. Random reviews of 10 client files found only two quarterly reassessments were up to date.

Corrective Action: Ensure quarterly assessments for HDM clients are completed and up-to-date in each participant’s file.

According to 45 CFR Section 92.20(b)(1), AAAs are required to establish and maintain a financial reporting system that reflects accurate, current, and complete disclosure of financial activities of the AAA and its service providers. CDA staff reviewed contracts and RFPs and found that service providers do not submit budgets by funding source and service category. Therefore, service provider

budgets do not contain the detail necessary for the AAA to submit the required budget information to CDA.

Corrective Action: Ensure ENP service provider contracts identify separate funding for Nutrition Education.

Title III E—Family Caregiver Support Program (FCSP)

CDA's Standard Agreement, Exhibit B, Article I,(H) provides guidance on the OMB Circular A-133 expectations for what may be considered an eligible matching contribution. In accordance with sentences 2 and 3 of this paragraph, these contributions must benefit a contract-supported program (e.g., services for FCSP-eligible clients), come from non-federal third parties, and count towards satisfying a federal award matching requirement only where the payments would be otherwise allowable costs if the party (e.g., FCSP service provider) receiving the contributions were to pay for the costs with Title III E funds. Spectrum Community Services operates a program called HOPE, formerly funded by the U.S. Department of Housing and Urban Development (HUD). Local cities now provide grants to continue case management and supportive services for the remaining HOPE enrollees (i.e., frail elders) still in HUD-subsidized living arrangements. Four years ago CDA expressed concern over the apparent use of Title III E funds to continue these HUD-initiated services targeted to frail elders (rather than FCSP-eligible family caregivers), and addressed this problem in the findings for the CDA onsite assessment conducted on November 2-4, 2004. Since that time both the AAA and Spectrum have made significant progress in evolving a program (delivered in unison with, and under the same title of, the existing HOPE program) that addresses the needs of family caregivers. Federal cost principles allow for a program such as HOPE to collocate with other programs (per its brochure) as long as the fair share of costs are for program-eligible services and in accordance with the benefits received. Spectrum's use of these funds tied to the frail elder program does not meet the eligible matching contribution criteria for a Title III E award.

Corrective Action: Ensure matching contributions budgeted for FCSP are allowable and spent on support services provided to Title III E eligible unpaid caregivers.

CCR Sections 7314(a)(9)(B) and (C) require an AAA to seek prior approval from CDA before awarding one-time-only (OTO) funds for systems-enhancing service activities. These OTO awards shall not be used to increase the AAA's baseline services, as specified in CCR Section 7314(a)(8). On February 19, 2008 Senior Support Services of the Tri-Valley received a contract augmentation to provide "Respite Scholarships." DAAS staff members were not aware of, nor did the DAAS service provider records reveal, any conditions for this award that would tie it to OTO service activities for enhancing FCSP systems. There also was no record of prior approval from CDA for the use of these funds for service activity.

Corrective Action: Seek prior approval from CDA before allocating federal One-Time-Only (OTO) funds to service-related activities, and ensure funds used for OTO purposes do not increase baseline needs.

Section 301(1) of the OAA requires that all Title III Supportive Services (including FCSP) be provided in a manner that facilitates accessibility to and utilization of the services provided within the AAA. Following are examples where FCSP public information was inconsistent, incomplete, or missing:

- The website for Adult Day Services Network of Alameda County (ADSNAC) did not distinguish FCSP-related Caregiver Respite Care within its Core Programs.
- FCSP was mentioned only under “Subsidies for Adult Day Services.”

FCSP funds cannot be used to augment a “day” of care, or accommodate a sliding scale fee structure through the granting of “scholarships” to reduce costs. One of the ADSNAC members, Family Bridges, used FCSP funds to pay for a brochure that makes no mention of FCSP-funded Caregiver Respite Care and also states “there is no charge for Medi-Cal eligible participants and a sliding fee for others.” Spectrum Community Services website contains a good description for the HOPE program, but there is no mention of FCSP-related services. The agency’s brochure on all of its services also does not mention FCSP-related services. In addition, the City of Berkeley website for its senior centers does not mention the availability of FCSP-funded services at the South Berkeley Senior Center.

Corrective Action: Ensure public information resources utilized by Title III E service providers identify the available FCSP services and applicable eligibility criteria.

Section 315(b)(4) of the OAA requires AAAs to ensure service providers will provide each participant with the opportunity to voluntarily contribute to the cost of an OAA-funded service. However, these service providers must clearly inform the participant that there is no obligation to contribute and the contribution is purely voluntary. FCSP providers consistently did not meet both of these OAA voluntary contributions requirements. The website for Alzheimer’s Services of the East Bay (ASEB) offered numerous opportunities to contribute, but the FCSP-funded provider did not mention that there is no obligation to contribute towards OAA-funded services and the contribution is purely voluntary. The City of Fremont website for caregivers states only that “Donations to the Caregiver Support Program are gratefully accepted.” There is also mention of a \$25 fee for caregiver training. A request for donations was found in only one location – the website “Donate” tab – when reviewing the Spectrum Community Services public information resources. The request targeted the community, and did not mention any of the OAA voluntary contribution requirements. Similar concerns related to OAA voluntary contributions requirements were found in the public information resources for other FCSP service providers.

Corrective Action: Require Title III E service providers, when soliciting voluntary contributions, to inform all Title III E caregivers that services will not be denied to anyone who does not contribute to the cost of a service.

Specific Program Reports—Community-Based Services Programs

Alzheimer's Day Care Resource Center (ADCRC)

CDA reviewed the contract for the ASEB ADCRC programs. There were two areas identified that need correction in the scope of work. The scope of work language lists the eligibility age as 60 and older. The eligibility age for the ADCRC program is 18 and older. Additionally, all ADCRCs are required to use the ADCRC Manual to administer the program.

Corrective Action: Ensure the ADCRC contract correctly identifies the eligible age for services as 18 and older.

Corrective Action: Ensure the ADCRC contract scope of work contains the requirement to administer the program using the ADCRC Policy and Procedures Manual.

Brown Bag

The Brown Bag Manual states under participant enrollment, that the service provider shall verify the applicant's income level based upon self-disclosure by the participant. The service provider's registration process requires identification and income documentation.

Corrective Action: Ensure the Brown Bag service provider permits clients to self declare income when determining eligibility.